

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

RUTH JARRETT-COOPER, ET AL.,

No. 11-13674

Plaintiffs,

District Judge Lawrence P. Zatkoff

v.

Magistrate Judge R. Steven Whalen

UNITED AIR LINES, INC.,

Defendant.

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**ORDER**

Before the Court are Plaintiffs' Motion for Leave to File Motion to Compel Discovery After Close of Discovery [Doc. #108], Motion to Compel Discovery [Doc. #112], and Motion to Compel Production of Documents [Doc. #109].<sup>1</sup>

The Motion to file an untimely motion to compel [Doc. #108] is GRANTED.

The underlying Motions to Compel [Doc. #109 and #112] are DENIED. Discovery is closed. A dispositive motion is pending. All discovery is to be initiated *well in advance* of the discovery cut-off date, which in this case was April 15, 2012. To extend discovery would unduly delay the resolution of this case and increase the prejudice to Defendant, who would be required to undertake a "new and expensive round of discovery." *United States v. Midwest Suspension and Brake*, 49 F.3d 1197, 1202 (6th Cir.1995); *Boyer v. Home Depot U.S.A., Inc.*, 2010 WL 1254847, \*4 (E.D.Mich. 2010).

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<sup>1</sup> Doc. #109 is actually the brief in support of the motion at Doc. #112. Counsel states that the brief was inadvertently filed without the attachment of the motion. However, on the basis of the Order of Reference [Doc. #121], and for administrative clarity, I will treat #109 and #112 as separate motions, and deny them both.

IT IS SO ORDERED.

Dated: June 24, 2013

s/ R. Steven Whalen  
R. STEVEN WHALEN  
UNITED STATES MAGISTRATE JUDGE

I hereby certify that a copy of the foregoing document was sent to parties of record on June 24, 2013, electronically and/or U. S. mail.

s/Michael Williams  
Relief Case Manger for the  
Honorable R. Steven Whalen